



LAND USE ISSUES

The List

1. Development Agreements
2. ADUs
3. Water providers
4. Low Impact Development
5. Building Permits
6. Boundary Line Adjustments
7. Annexations & Incorporations
8. Gravel Pits
9. Standards of Review
10. PIDs
11. Affordable Housing & Inclusionary Zoning
12. Subdivisions & exceptions
13. CUPs





Why be Concerned?

What can you do?

DEVELOPMENT AGREEMENTS & CONTRACT ZONING



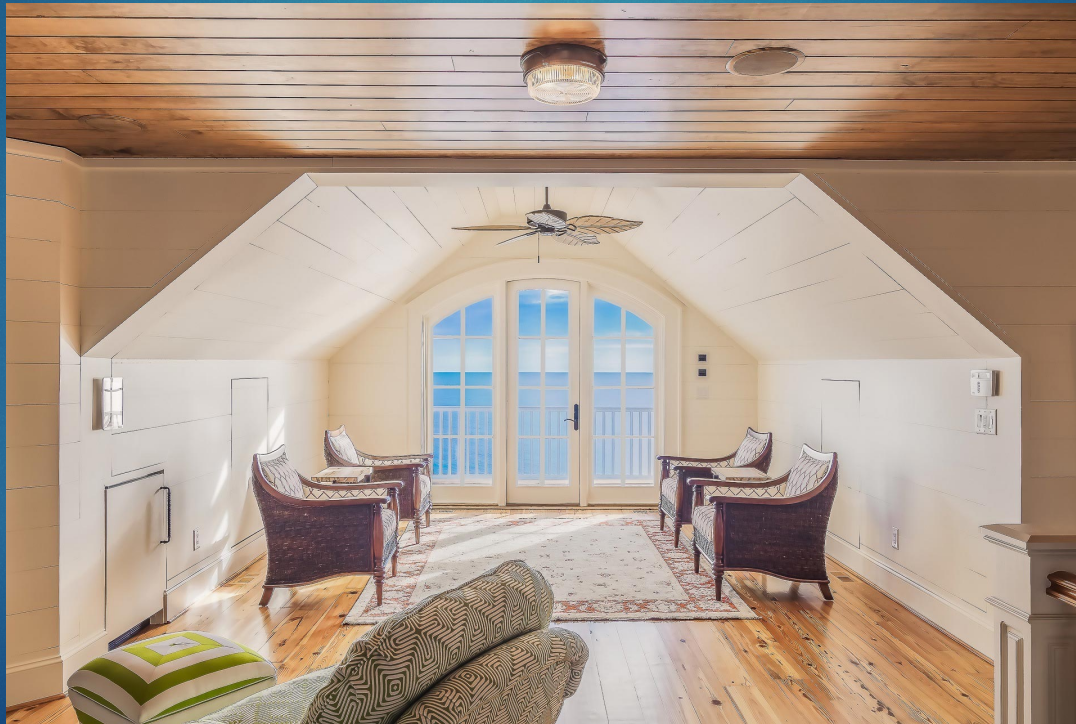
Development Agreements

Problem: Wallingford v. Moab City

Solution: Now defined in Utah Code
§17-27a-103, and regulated in Utah Code
§17-27a-528

Concern: Legislative v. Administrative

ACCESSORY DWELLING UNITS



Accessory Dwelling Units

Problem: Shortage of Affordable Housing

Solution: ADUs

Concern: Pre-emption of local regulations
and controls

WATER PROVIDERS





Water Providers

Problem: lack of water & correct location of ditch and other water infrastructure

Solution: Water provider approval of all plats

Concern: Extra signature for plats

LOW IMPACT DEVELOPMENT



Low Impact Development

Problem: PRC believes it to be inconsistent infrastructure standards

Solution: Creation of state standards for LIDs

Concerns:

1. preemption of local control
2. first step to state standards for all development



BUILDING PERMITS

Building Permits

Problem: Delays between application and approval

Solution: Required 14-day turnaround time, state determination of “complete” application, no regulation of aesthetics for single-family homes.

Concerns: Florida.



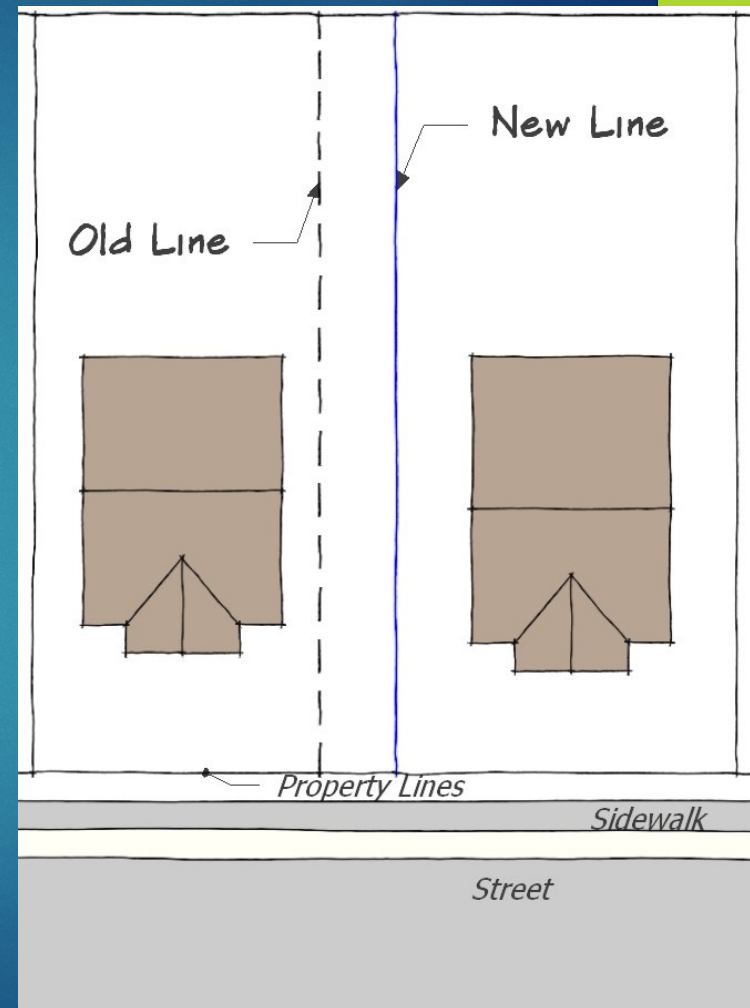
1. The 10-year rule

2. The Libertas solution

3. Building Inspections

4. Vesting

BOUNDARY LINE ADJUSTMENTS



Boundary Line Adjustments

Problem: confusing and conflicting statutory language regarding line adjustments

Solution: complete rewrite to clarify and limit usage

Concern: Surveyors want changes

ANNEXATION & INCORPORATION



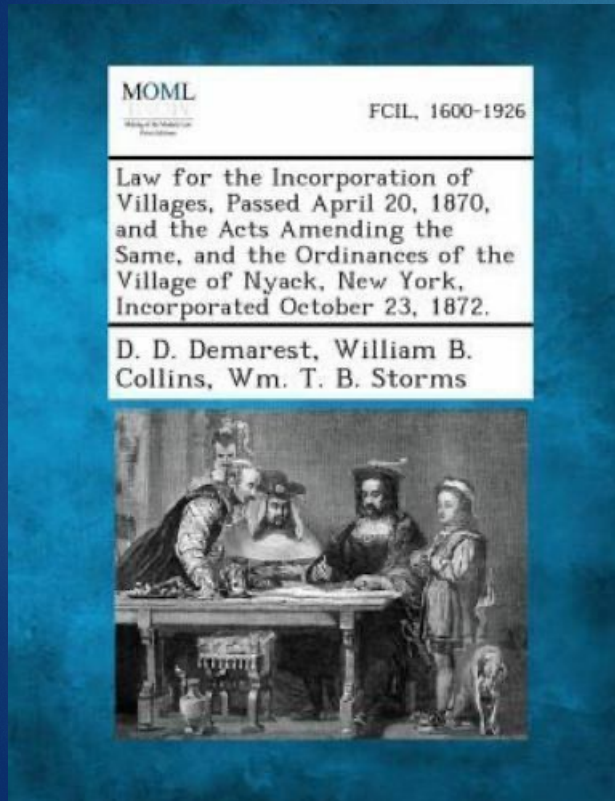


Annexations

1. Cross –County annexations
2. Competing municipal annexation plans
3. Rights of property owners
4. “Short form” annexations
5. Protesting or removing lands



Incorporations



1. Tax structure
2. Land Use approvals
3. Time between election and function
4. Timing and process to exclude parcels
5. Non-resident property owners
6. Beefed up feasibility studies

GRAVEL PITS



Gravel Pits

Problem: jurisdictions which prohibited new pits or expansions

Solution: Prohibit jurisdictions from creating new regulations AND prohibit expansion of existing pits.

Concern: Neither side is happy with the status-quo and solutions need to be found.

STANDARDS OF REVIEW



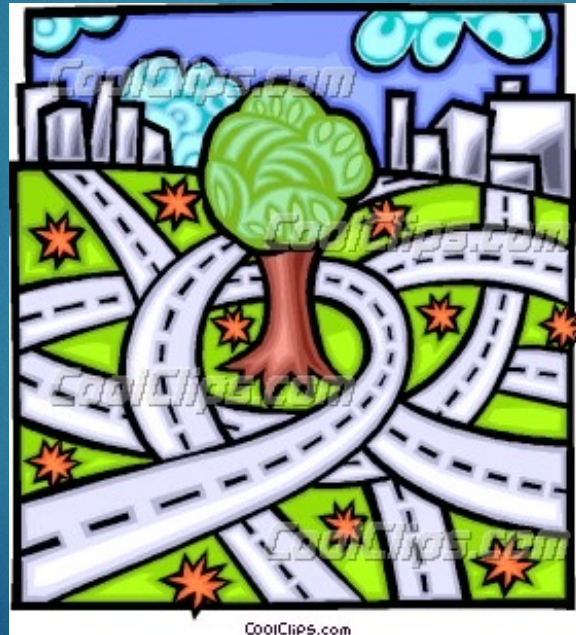
Standards of Review

Problem: PRC believes appellate standards are too easy

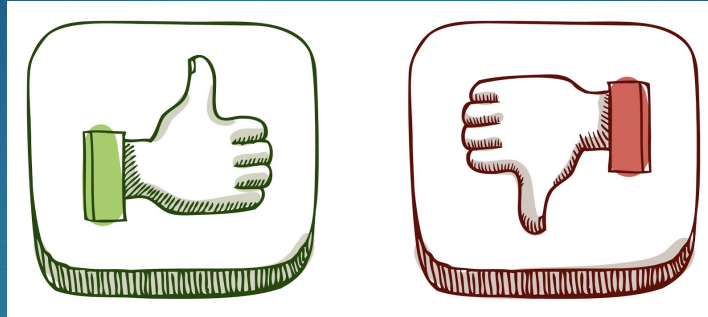
Solution: Define “substantial evidence”

Concern: PRC wants to change the substantial evidence standard depending on who is appealing

PUBLIC INFRASTRUCTURE DISTRICTS (PIDs)



PIDs



PRO

- Can promote development
- Offset cost may reduce cost of housing
- Keeps jurisdictions out of municipal services

CON

- Non-elected board controlling tax revenue
- Hidden costs to end purchasers
- Fluxuating tax rate
- No oversight by creating agency

AFFORDABLE HOUSING & INCLUSIONARY ZONING



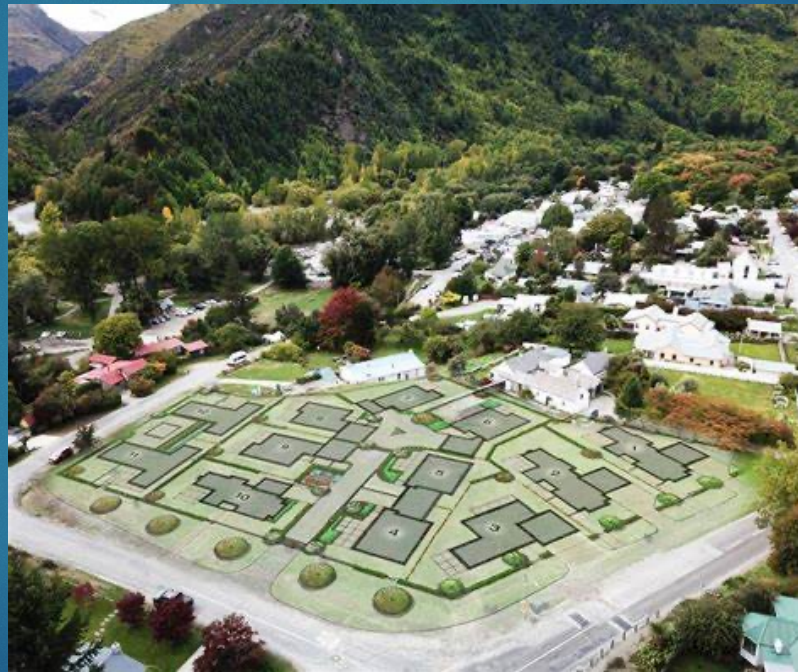
Affordable Housing

Problem: The dramatic rise in housing prices and lack of housing for those of lower incomes

Solution: Allow local jurisdictions to require all developers to provide low-income housing mixed in with every development but ONLY IF they developer gets “paid” to do so.

Concern: State mandated one-size-fits-all will create more issues than solutions

SUBDIVISIONS & EXCLUSIONS



Subdivisions & Exclusions

Problem: need for simple processes that don't really need a subdivision plat

Solution: Define what is and is not a "subdivision" which requires a plat and process

Concern: New "catch-all" exception

CONDITIONAL USE PERMITS

**HOW TO GET A
CONDITIONAL USE
PERMIT**

Permit Advisors

Conditional Use Permits (CUPs)

Problem: Decision makers who don't understand the rules

Solution: Mandatory training, required objective standards, and prohibition of unadopted mandates.

Concern: Getting planning commissions the require annual training



BILLBOARDS!

Billboards

Problem: Billboards are unsightly and bright and local jurisdictions are no longer allowing them

Solution: Force all jurisdictions to allow billboards and convert all regular billboards to electronic billboards.

Concerns: Where do we begin?

QUESTIONS?

